

*DM*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Pre Patent Application of  
FLYNN

Serial No. 10/715,368

Filed: November 19, 2003

Atty. Ref.: SCS-550-489

TC/A.U.: 2116

Examiner: M. Brown

Allowed:

Confirmation No.: 9185

For: DATA PROCESSING PERFORMANCE CONTROL

\* \* \* \* \*

February 1, 2008

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

As suggested by 37 C.F.R. 1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the references listed on the attached form PTO-1449.

- ☒ All listed documents are attached.
- ☐ Copies of U.S. Patent Publications are not required and are not attached.
- ☐ Listed foreign patent publications and other documents are enclosed.
- ☐ The listed documents were cited in the ISR and copies should have been

supplied by WIPO directly to the US PTO. If copies are not timely received from WIPO, please telephone the undersigned so that copies can be timely supplied for the Examiner's consideration in this US National Phase Application.

This is not to be construed as a representation that a search has been made or that no better prior art exists, or that a reference is relevant merely because cited.

The Examiner is requested to initial the attached form PTO/SB/08a and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information referenced herein and attached hereto was first cited in a

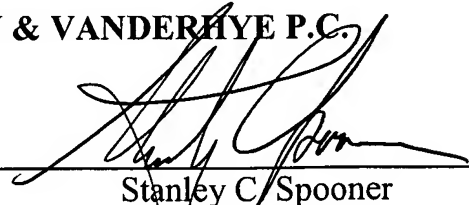
**FLYNN**  
Serial No. **10/715,368**

communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

**NIXON & VANDERHYTE P.C.**

By: \_\_\_\_\_



Stanley C. Spooner  
Reg. No. 27,393

SCS:kmm  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100